

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

David Clegg, et al.

v.

Civil No. 08-cv-00300-JL

Gary Fischer, et al.

**O R D E R**

Mistakenly believing that briefing on the motions had closed, the court has been actively considering the dispositive motions for several weeks. The court intended to hold a hearing and rule on the motions in the second week of May, well in advance of trial, which the court does not intend to continue. The court inadvertently overlooked (despite the filed notices) that the parties did not intend to file replies until after the court ruled on the motions to strike. (It is the court's normal practice to handle motions to strike in dispositive motion practice in the orders on the motions themselves; the court apologizes for this administrative mix-up, which is in no way counsel's fault.)

The Deputy Clerk will schedule a hearing on all dispositive motions during the week of May 10. All pending motions to strike are denied,<sup>1</sup> although counsel are free to argue the underlying

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<sup>1</sup>Document nos. 33, 35, 38 and 39.

rationales for the motions at oral argument on the summary judgment motions. Leave is granted for summary judgment replies (April 23 deadline; 10-page limit, limited to issues raised in objections) and surreplies (April 30 deadline; 7 page limit, limited to issues raised in replies).

If the parties or counsel require or desire relief from this schedule, they should arrange a conference call with the court through the Deputy Clerk to take place on or before April 21.

**SO ORDERED.**

  
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Joseph N. Laplante  
United States District Judge

Dated: April 15, 2010

cc: Jeffrey R. Mazer, Esq.  
David F. Bander, Esq.  
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Daniel J. Mullen, Esq.  
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